

Application No. 10/576,821
AMENDMENT of November 13, 2009
Reply to Office Action of July 13, 2009

REMARKS

Reconsideration under 37 C.F.R. § 1.111 of the Office Action of July 13, 2009, is respectfully requested.

Claims 1 through 9 are pending in the application. No claim is amended.

A request for a one month extension of time and check in the amount of \$130 are attached. If additional fees are required, please charge Deposit Account Number 12-1210.

1. Rejection under 35 U.S.C. § 102(e)

The Examiner rejects claims 1 through 7 and 9 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,824,017 to Sluijter. The Applicants traverse this rejection and request reconsideration.

Lugs #44 were identified in U.S. Patent No. 6,824,017 as the “gas locating member” recited in pending claim 1, and fastening parts #64 and 64' as the “guideways.” However, the Applicants respectfully submit that fastening parts #64 and 64' (identified as the guideway defined in pending claim 1) cannot be “adapted for receiving the [lug #44 identified as the] gas connecting locating member of the tap adapter in sliding and guiding relation to permit movement of the first gas connector into sealing relation with the second gas connector” (emphasis added). The Applicants maintain this position because lug #44 is never in contact with fastening parts #64 and 64', the latter interacting with the spring pawl #51 (identified as the locking member in claim 1 of the pending application). As can be seen in Figure 2 of U.S. Patent No. 6,824,017, lug #44 is located quite far away from spring pawl #51. This structure

**Application No. 10/576,821
AMENDMENT of November 13, 2009
Reply to Office Action of July 13, 2009**

and guiding relation" between the fastening parts #64 and 64' and lug #44. The subject matter of pending claim 1 is therefore novel with respect to the teaching of U.S. Patent No. 6,824,017.

The subject matter of pending claim 1 also involves an inventive step because the collaboration of the guideway #64 of the present invention with the gas connecting locating member, which are "in sliding and guiding relation," permits the tap adaptor to smoothly fit onto the container, with effective gas connection between the two parts with no need from the end-user to accurately insert the tap adaptor. This is not the case with the appliance disclosed in U.S. Patent No. 6,824,017, since any misalignment between the top lid #43 and the container #31 can not be corrected as easily.

The Applicants request that the rejection be withdrawn.

In view of the foregoing, it is submitted that this application is now in condition for allowance. Favorable consideration is requested.

Respectfully submitted,

13 Nov 2009

Date



Paul Grandinetti
Registration No. 30,754

LEVY & GRANDINETTI
P.O. Box 18385
Washington, D.C. 20036-8385

(202) 429-4560